

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

DAVID WAYNE McCOOL,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. CIV-12-868-M
	)	
CLAUDE CHESTER, et al.,	)	
	)	
Defendants.	)	


**ORDER**

On July 8, 2013, United States Magistrate Judge Shon T. Erwin issued a Report and Recommendation in this action brought pursuant to 42 U.S.C. § 1983. The Magistrate Judge recommended dismissal of this action without prejudice pursuant to Federal Rule of Civil Procedure 4(m). The parties were advised of their right to object to the Report and Recommendation by July 25, 2013. No objection has been filed.

Having carefully reviewed this matter de novo, the Court:

- (1) ADOPTS the Report and Recommendation issued by the Magistrate Judge on July 8, 2013, and
- (2) DISMISSES this action without prejudice pursuant to Federal Rule of Civil Procedure 4(m).

**IT IS SO ORDERED this 30th day of July, 2013.**

  
VICKI MILES-LAGRANGE  
CHIEF UNITED STATES DISTRICT JUDGE